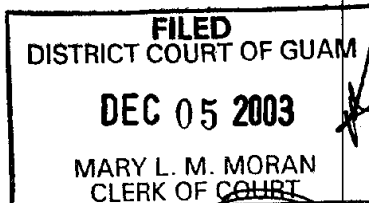


1 Tony H. Ashtiani
 P.O.Box 12723
 2 Tamuning Guam 96931
 671-688-4844
 3 671-653-5575



5 UNITED STATES DISTRICT COURT
 6 DISTRICT OF GUAM

8 Tony H. Ashtiani,)
)
 9 Plaintiff,) Civil Case No.: 02-00032
)
 10 Vs.)
)
 11 Continental Micronesia Inc,) DECLARATION OF TONY H. ASHTIANI
) IN REPLY TO DEFENDNATS'
 12 DbA, Continental Micronesia,) OPPOSITON TO PLAINTIFF'S MOTION
) FOR PARTIAL SUMMARY JUDGMENT.
)
 13 Continental Airlines,)
)
 14 Defendant.)
)
 15)
 16)

17
 18 I, TONY H. ASHTIANI declare:

19 1. I am pro se plaintiff in in the above-entitled action.
 20 If called as witness, I would and could competently testify
 21 thereto to all the facts within my personal knowledge except
 22 stated upon information and belief.

23 2. All exhibits referred and herein attached A Thru C have
 24 been reviewed and thus I have personal knowledge of these
 25 documents and information contained therein.

CV 02-00032 PAGE 1 of 3

DECLARATION OF TONY H. ASHTIANI

ORIGINAL

1 3. Staff Attorney of Superior Court of Guam Mr. Samuel J.
2 Taylor's letter to Ms. McDonald. EXHIBIT A.

3 4. Mr. Juan M. Rapadas, PH.D letter to Honorable Judge
4 Katherine A. Maraman EXHIBIT B.

5 5. Previously I had visited Dr. Chenet on October 03 2001.
6 EXHIBIT C.

7 6. Accordingly, Mr. Ledger declaration has led to
8 information which concludes that the intentional infliction of
9 emotional stress had effected plaintiff. Dr. Rapadas states
10 "first and only arrest". In addition Dr. chenet states "chronic
11 fatigue syndrome, depression over loss of job as aircraft
12 mechanic for 17 years.

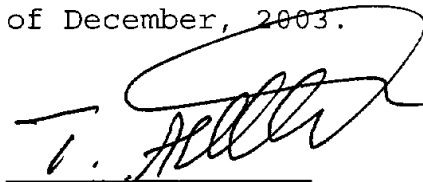
13
14 7. Mr. Ledger states "none of the documents provided
15 contained any such indication of emotional stress" exhibits
16 differ from Mr. Ledger conclusion as these documents were in
17 possession of defense counsel as well.

18
19 8. Accordingly defendant may not discriminate through
20 racial slur, retaliation then inflict emotional injury without
21 treatment and later use it against the plaintiff during
22 litigation.

1 I sign this declaration in reply to defendants' opposition
2 to plaintiff's motion for partial summary judgment.

3
4 Submitted respectfully

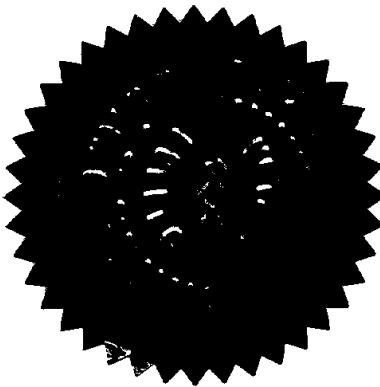
5 On this 2ND day of December, 2003.

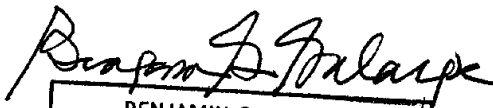
6
7 

8 TONY H. ASHTIANI

9
10 GUAM, U. S. A.)
11) S. S.
12 CITY OF HAGATNA)

13 SUBSCRIBED AND SWORN to before me on this 2nd day of December, 2003
14 by TONY H. ASHTIANI.




BENJAMIN G. GALARPE
NOTARY PUBLIC
In and for Guam, U.S.A
My Commission Expires: August 9, 2005
P. O. Box 821, Hagatna, Guam 96832



Superior Court of Guam

Guam Judicial Center
120 West O'Brien Drive
Hagåtña, Guam 96910



Samuel J. Taylor, Esq.

Telephone: (671)475-3526

Facsimile: (671) 477-1852

Elyze McDonald
Carlsmith Ball, LLP
Suite 401, Bank of Hawaii Building
134 W Soledad Ave
Hagatna, GU 96910

CARLSMITH BALL

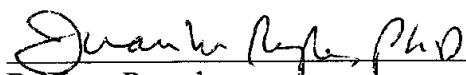
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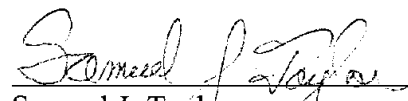
Ms. McDonald,

Please find attached of letter, which is a public document, that is being produced in reference to your subpoena in District Court Case CV 02-0032. As to any other record, report or note regarding Mr. Tony H. Ashtiani, those documents are privileged under Guam law and accordingly Dr. Rapadas objects to any such disclosure as provided by Rule 45, subsection (c)(2)(B) of the Federal Rules of Civil Procedure. Dr. Rapadas will not turn over any other document regarding Mr. Ashtiani without an order from the District Court of Guam.

Furthermore, in the event that an order is made to produce any of the aforementioned documents, Dr. Rapadas asks that the District Court of Guam conduct an in camera inspection of any documents prior to those documents being entered into evidence.

Thank you,


Dr. Juan Rapadas


Samuel J. Taylor
Staff Attorney
Superior Court of Guam



FILED
SUPERIOR COURT
OF GUAM

CLIENT SERVICES & FAMILY COUNSELING DIVISION

Superior Court of Guam, Judicial Center Annex, 120 W. O'Brien Drive, Hagatna, Guam 96910

Telephone: (671) 475-3383/3103

Facsimile: (671) 472-5450

ALFREDO M. BORLAS

April 21, 2003 CLERK OF COURT

BY: _____

Honorable Katherine A. Maraman
Judge, Superior Court of Guam
Judicial Center
120 West O'Brien Drive
Hagatna, Guam 96910

Subject: Intake & Counseling Status
Re: ASHTIANI, Tony
Case No: CM654-02

Dear Judge Maraman:

The above named person, Tony Ashtiani, was referred for counseling with the Client Services and Family Counseling Division of the Superior Court of Guam (CSFC), pursuant to diversion proceedings held on March 19, 2003. Mr. Ashtiani was charged with misdemeanor family violence and assault against his wife in June of 2002. Mr. Ashtiani was seen for intake and assessment at Client Services and Family Counseling Division on April 08 and 17, 2003.

As a result of the intake, Mr. Ashtiani was found to be a good candidate for the Domestic Violence Offender's Group at CSFC and is scheduled to begin in May 27, 2003 with Virginia Yasuhiro and Jeanette Tanos. Since his first and only arrest for family violence, according to him, Mr. Ashtiani has not been re-arrested for any offense, is gainfully employed, and continues to live with his wife and children. He reports that the relationship has improved since the incident last year. We agreed however, that he could benefit from more in-depth work and skill building. He is looking forward to completing this phase of treatment and completing his probation period. His attendance will be reported in his next further proceedings hearing.

He was informed of the corresponding fee for the DVOG class and he requests that he be allowed to sign a payment agreement with probation.

Respectfully,

Juan M. Rapadas, Ph.D.

Clinical Psychologist/Family Therapist

pc: Loretta Long, Public Defender; Mylene Lopez, Assistant AG; Roseanne Castro, Probation; Case file

ASHTIANI, Tony/ CM654-02/ Recommendation: DVOG in May 2003/ J Rapadas/ 04-21-2003

0769

DATE	HOUR	CHECK-IN
Date	OCT 03 2001	
	10:15 AM	
TIME	07 09 20	
Weight	185 #	
Recorder	AL	
Allergy	NKA	

5-31yo male w/ lve
 for decrease energy
 & ability to work
 & consult
 from the pen
 4 months after
 he was terminated of
 work. NO lve
 of sexual desire
 in sleep disorder
 - chronic fatigue, Depressed
 to down his work been stop
 0! BP 110/70 P 74 M 75-76

HGB ch E, in the

Chol - ch hys

ES S. 2

Plur - home again &
 no lve

non - present in

Ⓟ Chronic fatigue disorder - ? D.O.B. + mild
 Depression even less of
 job he held as aircraft
 mechanic or maintenance for 17 yrs, DOB
 10/6/63
 TOST 2001AD

+ full of

Guam Adult-Pediatric Clinic
 612 N. Marine Drive, Suite #8, Dededo, Guam 96929
 Phone: 671-633-GAPC (4272)

Patient's Progress Record

NAME: Akhiani, Tony
 D.O.B. 10/6/63
 INSURANCE: Multicare
 CHART #: 48767

572